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LAS VEGAS DEVELOPMENT GROUP, LLC

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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

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12 CAPITAL ONE, NATIONAL ASSOCIATION,)
a national banking association,)
13)
Plaintiff,)
14 vs.)
15 LAS VEGAS DEVELOPMENT GROUP, LLC,)
a Nevada limited liability company; HIDDEN)
16 CANYON HOMEOWNERS ASSOCIATION,)
a Nevada non-profit corporation,)
17)
Defendant.)
18)

Case No. 2:15-cv-01436-JAD-PAL

19 **STIPULATION TO SUBSTITUTE PARTIES**

20 COMES NOW Defendant, LAS VEGAS DEVELOPMENT GROUP, LLC ("*LVDG*"),
21 and Plaintiff, CAPITAL ONE, NATIONAL ASSOCIATION ("*Capital One*"), by and through
22 their undersigned counsel, and hereby stipulate and agree as follows:

- 23 1. The instant action is primarily a Quiet Title/Declaratory Relief action related to
24 real property commonly known as 3832 Dusty Glen Court, Las Vegas, Nevada
25 89032, Assessor Parcel Number 139-09-113-003 (*the "Property"*). The Property
26 was the subject of a homeowners association lien foreclosure sale ("*HOA*
27 *Foreclosure Sale*") conducted pursuant to NRS Chapter 116.
28

2. Capital One filed this action for the purpose of contesting the force and effect of the HOA Foreclosure Sale upon a deed of trust recorded against the Property in the Office of the Clark County Recorder in Book 20070619 as Document 0000869 (*"First Deed of Trust"*).
3. At the time that the instant action was filed on July 28, 2015, Capital One was holder of the First Deed of Trust and LVDG was the holder of record title to the Property.
4. Since that time, on or about March 7, 2017, LVDG conveyed the Property to Airmotive Investments, LLC, a similarly owned entity, pursuant to a Grant Deed recorded in the Office of the Clark County Recorder as Instrument No. 20170307-00184. LVDG no longer claims any interest in the Property
5. In addition, on or about September 28, 2018, Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A acquired the loan secured by the Deed of Trust from Capital One. Capital One no longer claims any interest in the loan or Deed of Trust.
6. Airmotive Investments, LLC shall be substituted in the place and stead of LVDG as the real party in interest in this action. LVDG shall be dismissed. All claims and defenses raised by LVDG to date shall be deemed to equally apply to Airmotive Investments, LLC.
7. Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A shall be substituted in the place and stead of Plaintiff, Capital One, as the real party in interest in this action. Capital One shall be dismissed. All claims and defenses raised by Capital One to date shall be deemed to equally apply to Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A.
8. Airmotive Investments, LLC and Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A have agreed upon a settlement of this matter as to the claims between them, which they are presently documenting.

Said parties expect to cause this action to be dismissed as soon as practicable.

9. This Stipulation is made in good faith and not for purpose of delay.

Dated this 25th day of January, 2019.

ROGER P. CROTEAU &
ASSOCIATES, LTD.

BALLARD SPAHR LLP

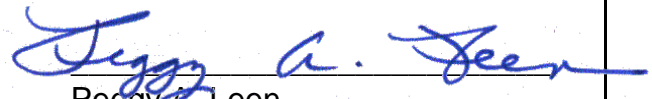
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IT IS SO ORDERED.

IT IS FURTHER ORDERED that the parties shall have until **February 25, 2019** to file a stipulation to dismiss or a joint status report indicating when the stipulation to dismiss will be filed.

Dated: January 29, 2019


Peggy A. Leen
United States Magistrate Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of January, 2019, I served via the United States District Court CM/ECF electronic filing system, the foregoing **STIPULATION TO SUBSTITUTE PARTIES** to the following parties:

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